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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 November 2003*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

  closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

    application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 11/18/03.

2. Claims 44-45 are newly added. Claims 1-45 are pending. Claims 1, 7, 16, 25, 27, 28, 33, and 39 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. **Claims 1, 3, 5, 9, 12, 13, 15-17, 21, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,136,655 to Bronson, issued August 4, 1992.**

Regarding independent claim 1, Bronson teaches receiving a search request including

search criteria and determining a temporal location in a streaming media presentation that

matches the search criteria. (Bronson, col. 3, lines 26-29: "In the simplest application, data from

the data index 34 may be searched by the user to determine when a particular word or phrase

occurs in the audio-video data stored on the media 12.")

Further, Bronson teaches returning a temporal indication to a source of the request

inasmuch as the user taught by Bronson is a source of the request and inherent in allowing the

user to determine when a word occurs in an audio-video data stream is that the temporal

indication, *i.e.,* when the word occurs, is returned to the user. (Bronson, col. 3, lines 29-33:

"Using available word searching software to operate the microcomputer 30, the user may simply

determine, for example, when, or even if, during a stored lecture on desktop publishing the word

pixel" is used.")

Regarding dependent claim 3, Bronson teaches checking for each of a plurality of

individual media streams, whether the data of the media streams matches the search criteria

inasmuch as Bronson teaches checking audio data for user-specified words as discussed above

regarding claim I and also teaches checking video data for certain patterns. (Bronson, col. 4,

lines 6-9.)

Regarding dependent claim 5, it is first noted that the limitation "presentation time"

would given rise to a rejection this claim under 35 U.S.C § 112 as vague and indefinite *(i.e.,* it

could mean either the time it takes to present a media stream or the time at which a media stream

is to be presented) were it not for the fact that the specification clearly defines "presentation

time" as the time "when the [streamed data] value should actually be rendered" on the user's computer. (Specification, page 8, lines 24 - page 9, line 1.)

Further, Bronson teaches the temporal location comprising the time when the streaming media data should be rendered inasmuch as Bronson teaches the temporal location comprising when a word occurs in an audio-video stream, *i.e.*, when that word should be rendered in the audio-video presentation. (Bronson, col. 3, lines 26-33.)

Regarding dependent claim 9, Bronson teaches the returning displaying an indication to the user inasmuch as Bronson teaches the user determining when a word or phrase occurs in stored media (Bronson, col. 3, lines 26-33), which determining would not have been possible unless an indication was displayed to the user.

Regarding dependent claim 12, Bronson teaches accessing an index corresponding to an individual media data stream of the media presentation inasmuch as Bronson teaches an index for word data to be located in an audio stream. (Bronson, col. 3, lines 10- 14.)

Further, Bronson teaches checking whether the search criteria matches data in the index. (Bronson, col. 3, lines 26-29.)

Further, Bronson teaches identifying a presentation time of the media presentation at which the search criteria are satisfied inasmuch as Bronson teaches identifying when in the presentation the search criteria are satisfied. (Bronson, col. 3, lines 26-33.)

Regarding dependent claim 13, Bronson teaches that the search criteria comprises user-specified criteria inasmuch as Bronson teaches that the search criteria comprise words input by the user. (Bronson, col. 3, lines 26-29.)

Regarding dependent claim 15, Bronson teaches one or more computer-readable

memories containing a computer program executable by a processor to perform the recited

method. (Bronson, Fig. 1; col. 2, lines 25-30.)

Regarding independent claim 16, Bronson teaches a memory device to store a plurality

of data streams corresponding to a streaming multimedia presentation inasmuch as Bronson

teaches a playback deck. (Bronson, Fig. 1, reference no. 14; col. 2, lines 41-49.)

Further, Bronson teaches a search engine receiving a search request corresponding to the

multimedia presentation and determining whether any of the multimedia data streams satisfy

search criteria corresponding to the search request. (Bronson, col. 3, lines 26-29.)

Further, Bronson teaches returning an indication of whether any of the multimedia data

streams satisfy the search criteria. (Bronson, col. 3, lines 29-33.)

Regarding dependent claim 17, Bronson teaches the memory device comprising a

random access memory inasmuch as Bronson teaches a microcomputer that inherently would

have comprised a RAM. (Bronson, col. 2, lines 36-44.)

Regarding dependent claim 21, Bronson teaches determining whether any of the

multimedia data streams satisfy the search criteria by comparing for each of the multimedia data

streams, the search criteria to index data for the multimedia data stream inasmuch as Bronson

teach comparing word data to an index and searching an audio stream (Bronson, col. 3, lines 26-

29) and also teaches indexing and searching patterns in a video stream. (Bronson, col. 4, lines 6-

9.)

Regarding dependent claim 24, Bronson teaches a data saving component to receive the

multimedia data streams from a multimedia server and store the multimedia data streams in the

memory device. (Bronson, col. 3, lines 53-54: "The appropriate portion of the stored lecture may

then be viewed by the user or separately stored or recorded...")

5.   **Claims 25, 27, 33, and 38 are rejected under 35 U.S.C. 102(a) and (e) as being**

anticipated by U.S. Patent 5,956,716 to Kenner et al., issued September 21, 1999, filed June

7, 1996, cited in the Information Disclosure Statement filed on August 30, 2001.

Regarding independent claim 25, Kenner et al. teach a client computer coupled to a

network to receive streaming data from the network. (Kenner et al., col. 20, lines 22-34.)

Further, Kenner et al. teach a multimedia server coupled to the network to stream the

streaming data to the client computer, the multimedia server including one or more index files

corresponding to the streaming data and a search engine to check whether data in the index files

matches search criteria received from the client computer. (Kenner et al., col. 20, lines 35-38:

"The system also includes a PIM 64 and one or more extended SRUs 66. In a preferred

embodiment, the PIM 64 includes a modified Web server 68 and a database management module

69.")

Regarding independent claim 27, Kenner et al. teach a client computer coupled to a

network to receive streaming data from the network. (Kenner et al., col. 20, lines 22-34.)

Further, Kenner et al. teach a multimedia server coupled to the network, to stream the

streaming data to the client computer, and an index server storing index files corresponding to

the streaming data to check whether data in the index files matches search criteria of the search

request based at least in part on the contents of the index files. (Kenner et al., col. 20, lines 35-

38: "The system also includes a PIM 64 and one or more extended SRUs 66. In a preferred

embodiment, the PIM 64 includes a modified Web server 68 and a database management

module 69.")

Regarding independent claim 33, Kenner et al. teach receiving a plurality of media

streams as streaming data from a multimedia server. (Kenner et al., col. 18, lines 51-53.)

Further, Kenner et al. teach storing the plurality of media streams locally inasmuch as

they teach locating requested video clips and downloading them to a user's terminal (Kenner et

al., col. 7, lines 25-30), which could be a client computer, (Kenner et al., col. 8, lines 14-16.)

Further, Kenner et al. teach generating markup document describing how the plurality of

media streams are to be presented and referencing the locally stored plurality of media streams

inasmuch as Kenner et al. teach displaying to the user a list of available videos (Kenner et al.,

col. 18, lines 44-45), and further teach that the list may be in HTML. (Kenner et al., col. 20,

lines 22-23; col. 21, lines 23-25; col. 23, lines 32-33.)

Regarding dependent claim 38, Kenner et al. teach one or more computer readable

memories containing a computer program that is executable by a processor to perform the

method recited in claim 33. (Kenner et al., Fig. 4.)

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action: .

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   **Claims 2, 4, 10, 11, 14, 18-20, 28, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bronson in view of Kenner et al.**

Regarding dependent claim 2, Bronson does not explicitly teach saving a media data stream locally at a client computer if data in the media presentation matches the search criteria and otherwise not saving the media data stream locally. However, Kenner et al. teach locating requested video clips and downloading them to a user's terminal (Kenner et al., col. 7, lines 25-30), which could be a client computer, (Kenner et al., col. 8, lines 14-16.) Inherent in the disclosure of Kenner et al. is that data that is not requested is not saved to the client computer. Moreover, Kenner et al. would have provided motivation to one of ordinary skill in the art to implement this step inasmuch as they teach the need to avoid delays in transmitting and viewing streaming video data. (Kenner et al., col. 2, lines 23-42.) Therefore, it would have been obvious to one of ordinary skill in the art to implement the limitations recited in claim 2.

Regarding dependent claim 4, Bronson does not teach comparing data of media streams corresponding to a plurality of different media presentations to the search criteria. However, Kenner et al. teach allowing users to request video clips from World Wide Web Sites which inherently would have required applying the search criteria to a plurality of different media presentations. (Kenner et al., col. 5, lines 39-41.) Moreover, one of ordinary skill in the art would have recognized that allowing users to search a plurality of presentation on the World Wide Web would have the benefit of making available to users a rich set of multimedia content. Therefore, it would have been obvious to one of ordinary skill in the art to compare data of media streams corresponding to a plurality of different media presentations to the search criteria.

Regarding dependent claim 10, Bronson does not teach receiving the request from a client via a network. However, Kenner et al. teach receiving the request from a client over the World Wide Web as noted above regarding claim 4. Moreover, one of ordinary skill in the art would have recognized that receiving the request over the Web would have allowed more users to access potentially useful and interesting multimedia data. Therefore, it would have been obvious to one of ordinary skill in the art to receive the request from a client via a network.

Regarding dependent claim 11, Bronson teaches the use of indices (Bronson, col. 3, lines 13-14), but does not teach receiving the request at an index server from a media server via a network. However, Kenner et al. teaches index manager connected to a network for receiving requests. (Kenner et al., col. 20, lines 35-40, Fig. 4.) Moreover, one of ordinary skill in the art would have been motivated to have the index server receive requests from a media server via the World Wide Web for the reasons given above with respect to claim 10. Therefore, it would have been obvious to one of ordinary skill in the art to receive the request at an index server from a media server via a network.

Regarding dependent claim 14, Bronson does not teach sending the indication from an index server to a media server that is the source of at least part of the media presentation. However, Kenner et al. teach sending an indication from an index manager to a web server functioning as a media server. (Kenner et al., col. 20, lines 35-40, Fig. 4.) Moreover, one of ordinary skill in the art would have recognized that the index server would have had the necessary information to cause the media server to play the portion of the media presentation desired by the user. Therefore, it would have been obvious to one of ordinary skill in the art to

send the indication from an index server to a media server that is the source of at least part of the
media presentation.

Regarding dependent claim 18, Bronson does not teach the apparatus comprising a
multimedia server and the search engine receiving the search request from a client computer via
a network However, Kenner et al. teach receiving the request from a client over the World Wide
Web as noted above regarding claim 4. Kenner et al. also teach a web server equivalent to a
multimedia server as noted above regarding claim 14. Moreover, one of ordinary skill in the art
would have recognized that receiving the request over the Web from a multimedia web server
would have allowed more users to access potentially useful and interesting multimedia data.
Therefore, it would have been obvious to one of ordinary skill in the art to implement a
multimedia server and the search engine receiving the search request from a client computer via
a network

Regarding dependent claim 19, Bronson teaches the use of indices (Bronson, col. 3,
lines 13-14), but does not teach a multimedia server and the search engine determining whether
any of the multimedia data streams satisfying the search criteria by forwarding the search criteria
to an index server. However, Kenner et al. teach an index manager connected to a network for
receiving requests. (Kenner et al., col. 20, lines 35-40, Fig. 4.) Moreover, one of ordinary skill in
the art would have been motivated to have the index server receive requests from a media server
via the World Wide Web for the reasons given above with respect to claim 10. Therefore, it
would have been obvious to one of ordinary skill in the art to implement a multimedia server and
the search engine determining whether any of the multimedia data streams satisfying the search
criteria by forwarding the search criteria to an index server.

Regarding dependent claim 20, Bronson does not teach the apparatus comprising a

client computer and the search engine receiving a search request from a user of the client

computer, although Bronson does teach a user initiating a search request from a computer as

noted above regarding claim 16. Further, Kenner et al. teach the search engine receiving the

request from a client computer over the World Wide Web as noted above regarding claim 4.

Moreover, one of ordinary skill in the art would have recognized that receiving the request over

the Web would have allowed more users to access potentially useful and interesting multimedia

data. Therefore, it would have been obvious to one of ordinary skill in the art to implement the

apparatus comprising a client computer and the search engine receiving a search request from a

user of the client computer.

Regarding independent claim 28, Bronson teaches identifying a set of search criteria to

be compared to data of a streaming media presentation. (Bronson, col. 3, lines 23-42.)

˙ Further, Bronson teach receiving, an indication of whether the search criteria match any

portion of the streaming media presentation inasmuch as Bronson teaches the user determining

when and if certain words'appear in the presentation. (Bronson, col. 3, lines 29-33.)

Further, Bronson does not teach transmitting the set of search criteria to a server.

However, Kenner et al. teach allowing users to request video clips from World Wide Web Sites

which inherently would have required transmitting search criteria to a server. (Kenner et al., col.

5, lines 39-41.) Moreover, one of ordinary skill in the art would have recognized that allowing

users to transmit search criteria to servers on the World Wide Web would have the benefit of

making available to users a rich set of multimedia content. Therefore, it would have been

obvious to one of ordinary skill in the art to implement transmitting the set of search criteria to a

server.

Regarding dependent claim 30, Bronson teaches the use of indices (Bronson, col. 3,

lines 13-14), but does not teach transmitting search criteria to an index server. However, Kenner

et al. teach an index manager connected to a network for receiving requests. (Kenner et al., col.

20, lines 35-40, Fig. 4.) Moreover, one of ordinary skill in the art would have been motivated to

have the index server receive requests from a media server via the World Wide Web for the

reasons given above with respect to claim 10. Therefore, it would have been obvious to one of

ordinary skill in the art to transmit search criteria to an index server.

Regarding dependent claim 31, Bronson does not explicitly teach storing the media

data stream locally. However, Kenner et al. teach locating requested video clips and

downloading them to a user's terminal (Kenner et al., col. 7, lines 25-30), which could be a client

computer, (Kenner et al., col. 8, lines 14-16.) Moreover, Kenner et al. would have provided

motivation to one of ordinary skill in the art to implement this step inasmuch as they teach the

need to avoid delays in transmitting and viewing streaming video data. (Kenner et al., col. 2,

lines 23-42.) Therefore, it would have been obvious to one of ordinary skill in the art to

implement the limitations recited in claim 31.

Regarding dependent claim 32, Bronson teaches one or more computer-readable

memories containing a computer program executable by a processor to perform the recited

method. (Bronson, Fig. 1; col. 2, lines 25-30.)

8.   **Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bronson in view of U.S. Patent Number 5,953,506 to Kalra et al., issued September 14, 1999, filed December 17, 1996, cited in the Information Disclosure Statement filed on August 30, 2001.**

Regarding dependent claim 6, Bronson does not explicitly teach the multimedia presentation comprising a composite media stream including a plurality of individual media streams. However, Kalra et al. teach use of composite streams and that they provide the benefit of tailoring the stream to the computer that is to receive it. (Kalra et al., col. 2, lines 30-50.) Therefore, it would have been obvious to one of ordinary skill in the art to have the multimedia presentation comprise a composite media stream including a plurality of individual media streams.

9.   **Claims 7-8 and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bronson in view of U.S. Patent Number 5,973,679 to Abbott et al., issued October 26, 1999, filed March 31, 1997.**

Regarding independent claim 7, Bronson teaches receiving a search request including search criteria and determining a temporal location in a streaming media presentation that matches the search criteria. (Bronson, col. 3, lines 26-29: "In the simplest application, data from the data index 34 may be searched by the user to determine when a particular word or phrase occurs in the audio-video data stored on the media 12.")

Further, Bronson teaches wherein the data of the media presentation includes a particular term or element of the streaming media presentation (Bronson on col. 1, lines 40-49: "...the audio-video data in conjunction with their corresponding location data and automatically extracts

words and picture out of the data) and returning a temporal indication to a source of the request

inasmuch as the user taught by Bronson is a source of the request and inherent in allowing the

user to determine when a word occurs in an audio-video data stream is that the temporal

indication, *i.e.*, when the word occurs, is returned to the user. (Bronson, col. 3, lines 29-33:

"Using available word searching software to operate the microcomputer 30, the user may simply

determine, for example, when, or even if, during a stored lecture on desktop publishing the word

pixel" is used.")

Bronson does not explicitly teach seeking to the temporal location and streaming the

media presentation to a client based on the temporal location. However, Abbott et al. teach

determining the position of data at a specified time T so that the data can be delivered to a client.

(Abbott et al., col. 2, lines 20-22, 47-49.) Moreover, Abbott et al. teach the benefit of giving the

viewer control over the content he or she is viewing. (Abbott et al., col. 3, lines 45-52.)

Therefore, it would have been obvious to one of ordinary skill in the art to seek to the temporal

location and stream the media presentation to a client based on the temporal location.

Regarding dependent claim 8, Bronson does not explicitly teach streaming the media

presentation to the client beginning at the temporal location. However, Abbott et al. teach

delivery of program material beginning at the specified time T. (Abbott et al., col. 2, lines 12-

15.) Moreover, one of ordinary skill in the art would have recognized that in order for a user to

be certain to receive all of the data in which they were interested that delivery should begin at the

start of the temporal location relevant to the user's interest. Therefore, it would have been

obvious to one of ordinary skill in the art to stream the media presentation to the client beginning

at the temporal location.

Regarding dependent claim 44, Bronson teaches the particular term or element of the streaming media presentation includes any one of characters, words, symbols, or groups thereof. (Bronson on col. 1, lines 41-43: audio-video data includes words and picture patterns).

Regarding dependent claim 45, Bronson teaches the particular term or element of the streaming media presentation includes digital representations of audio waveforms (Bronson on col. 3, lines 11-12: ...a base of recognizable words from the audio portion of the audio-video data).

10.   **Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bronson.**

Regarding dependent claim 22, Bronson teaches determining whether any of the multimedia data streams satisfy the search criteria by comparing, for each of the multimedia data streams, the search criteria to index data for the multimedia data stream inasmuch as Bronson teach comparing word data to an index and searching an audio stream (Bronson, col. 3, lines 26-29) and also teaches indexing and searching patterns in a video stream. (Bronson, col. 4, lines 6-9.) Bronson does not teach that the comparison occurs directly against the data of the multimedia data streams. However, one of ordinary skill in the art would have recognized that the ability to make such a comparison would have been desirable in instances wherein index was lacking. Therefore, it would have been obvious to one of ordinary skill in the art to determine whether any of the multimedia data streams satisfy the search criteria by comparing, for each of the multimedia data streams, the search criteria to data for the multimedia data stream 12.

11.   **Claims 23 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Bronson in view of Kenner et al. and Abbott.

Regarding dependent claim 23, Bronson teaches an apparatus comprising a streaming

component to manage streaming of the multimedia data streams (Bronson, Fig. 1, block 14) but

does not teach that the streaming is to a client computer. However, Kenner et al. teach such a

component in the context of a client-server environment inasmuch as they teach a web server

functioning as a media server streaming, multimedia data to client computers. (Kenner et al., col.

20, lines 35-40, Fig. 4.) Moreover, one of ordinary skill in the art would have recognized would

have recognized the advantages of streaming data to client computers as discussed above

regarding claim 4. Therefore, it would have been obvious to one of ordinary skill in the art to

have a streaming component to manage streaming of the multimedia data streams to as client

computer.

Further, Bronson teaches the search engine identifying a temporal location of the

multimedia data streams that satisfies the search criteria and forward the temporal location to the

streaming component. (Bronson, col. 3, lines 26-29; col. 3, lines 43-48: "A convenient

enhancement for this simple system is to provide control of the record/playback deck 14 to the

user via the microcomputer 30 and to provide display of the audio-video data on the monitor 16.

In this way, the user would have instantaneous convenient access to the data indicated by the

index search.")

Further, Bronson does not explicitly teach streaming the multimedia data stream at a

beginning temporal location based on the identified temporal location. However, Abbott et al.

teach delivery of program material beginning at the specified time T. (Abbott et al., col. 2, lines

12-15.) Moreover, one of ordinary skill in the art would have recognized that in order for a user

to be certain to receive all of the data in which they were interested that delivery should begin at

the start of the temporal location relevant to the user's interest. Therefore, it would have been

obvious to one of ordinary skill in the art to stream the multimedia data stream at a beginning

temporal location based on the identified temporal location.

Regarding dependent **claim 29, Bronson** does not explicitly teach receiving the

streaming media presentation to the client beginning at temporal location corresponding to a

temporal location matching the search criteria. However, Abbott et al. teach delivery of program

material beginning at the specified time T. (Abbott et al., col. 2, lines 12-15.) Moreover, one of

ordinary skill in the art would have recognized that in order for a user to be certain to receive all

of the data in which they were interested that delivery should begin at the start of the temporal

location relevant to the user's interest. Therefore, it would have been obvious to one of ordinary

skill in the art to implement receiving the streaming media presentation to the client beginning at

temporal location corresponding to a temporal location matching the search criteria. 13.

12.   **Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kenner et al.
in view of Abbott et al.**

Regarding dependent claim 26, Kenner et al. do not teach the client computer

comprising a demultiplexer to separate the streaming data into individual media streams and a

data saver to save the individual media streams at the client computer. However, Abbott et al.

suggest such a limitation by teaching that the separate streaming of audio and video

advantageously allows video to be played with different audio tracks without having to modify

any files. (Abbott et al., col. 5, lines 29-46.) Therefore, it would have been obvious to one of ordinary skill in the art to implement a demultiplexer to separate the streaming data into individual media streams and a data saver to save the individual media streams at the client computer.

13.   **Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kenner et al. in view of Kalra et al.**

Regarding dependent claim 34, Bronson does not explicitly teach receiving the plurality of media streams as a composite media stream. However, Kalra et al. teach use of composite streams and that they provide the benefit of tailoring the stream to the computer that is to receive it. (Kalra et al., col. 2, lines 3050.) Therefore, it would have been obvious to one of ordinary skill in the art to implement receiving the plurality of media streams as a composite media stream.

14.   **Claims 35-37 and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenner et al. in view of Eric Ladd et al., "*Using HTML 4, XML, and Java 1.2* (Que: December 1998), page 690.**

Regarding dependent claim 35, Kenner et al. teach receiving, from the multimedia server, an original markup document referencing the plurality of media streams stored at the multi media server as discussed above regarding claim 33.

Further, Kenner et al. do not explicitly teach modifying the original markup document to reference the plurality of locally stored media streams rather than the media streams stored at the multimedia server. However, Ladd et al. teach on page 690 that most web browsers keep a local

copy of web documents in a browser cache to reduce network traffic. This would have suggested

to one of ordinary skill in the art that if a local copy of a media stream was available it would

have been advantageous to have that stream, as opposed to a remote stream, accessed when a

link was selected in a markup language document. Therefore, it would have been obvious to one

of ordinary skill in the art to implement modifying the original markup document to reference

the plurality of locally stored media streams rather than the media streams stored at the

multimedia server.

Regarding dependent claim 36, Kenner et al. teach receiving a search request with

search criteria inasmuch as they teach locating requested video clips and downloading them to a

user's terminal. (Kenner et al., col. 7, lines 25-30.)

Further, Kenner et al. do not teach accessing the locally stored plurality of media streams

to determine whether the search criteria is satisfied by a portion of the plurality of media streams.

However, Ladd et al. teach on page 690 a browser checking a local cache before fetching

documents from a server and that this produces the benefit of not overburdening a network. This

would have suggested to one of ordinary skill in the art that checking the local cache to see if

search criteria were satisfied would produce this advantage. Therefore, it would have been

obvious to one of ordinary skill in the art to implement accessing the locally stored plurality of

media streams to determine whether the search criteria is satisfied by a portion of the plurality of

media streams.

Regarding dependent claim 37, Kenner et al. teach receiving a plurality of index files

corresponding to the plurality of media streams. (Kenner et al., col. 9, lines 3-6.)

Further, Kenner et al. do not teach storing the plurality of index files locally. However, Ladd et al. teach on page 690 a browser checking a local cache before fetching documents from a server and that this produces the benefit of not overburdening a network. This would have suggested to one of ordinary skill in the art that this advantage could be obtained by storing index files locally, and therefore the recited claim limitation would have been obvious to one of ordinary skill in the art.

Regarding independent claim 39, Kenner et al. teach receiving a markup language document from a multimedia server that references a plurality of multimedia data streams at one or more remote media servers identifying how the plurality of media streams are to be presented at a client computer inasmuch as Kenner et al. teach displaying to the user a list of available videos (Kenner et al., col. 18, lines 44-45), and further teach that the list may be in HTML. (Kenner et al., col. 20, lines 22-23; col. 21, lines 23-25; col. 23, lines 32-33.)

Further, Kenner et al. teach receiving a plurality of media streams as streaming data from a multimedia server. (Kenner et al., col. 18, lines 51-53.)

Further, Kenner et al. teach storing the plurality of media streams locally at the client computer inasmuch as they teach locating requested video clips and downloading them to a user's terminal (Kenner et al., col. 7, lines 25-30), which could be a client computer, (Kenner et al., col. 8, lines 14-16.)

Further, Kenner et al. do not explicitly teach modifying the original markup document to reference the plurality of locally stored media streams rather than the plurality of remotely stored media streams. However, Ladd et al. teach on page 690 that most web browsers keep a local copy of web documents in a browser cache to reduce network traffic. This would have suggested

to one of ordinary skill in the aft that if a local copy of a media stream was available it would have been advantageous to have that stream, as opposed to a remote stream, accessed when a link was selected in a markup language document. Therefore, it would have been obvious to one of ordinary skill in the art to implement modifying the original markup document to reference the plurality of locally stored media streams rather than the media streams stored at the multimedia server.

Further, Kenner et al. do not teach storing the modified markup document. However, Ladd et al. teach on page 690 a browser cache in which documents are stored locally for more efficient later retrieval. This would have suggested storing the modified markup document to one of ordinary skill in the art. Therefore, it would have been obvious to one of ordinary skill in the art to implement this claim limitation.

Regarding dependent claim 40, Further, Kenner et al. do not teach using the modified markup document to present the plurality of locally stored media streams at the client computer. However, Ladd et al. teach on page 690 that most web browsers keep a local copy of web documents in a browser cache to reduce network traffic. This would have suggested to one of ordinary skill in the art that if a local copy of a media stream was available it would have been advantageous to have that stream, as opposed to a remote stream, accessed when a link was selected in a markup language document. Therefore, it would have been obvious to one of ordinary skill in the art to implement using the modified markup document to present the plurality of locally stored media streams, at the client computer.

Regarding dependent claim 41, Kenner et al. do not teach combining the plurality of locally stored multimedia data streams and the modified markup document into a common

location. However, Ladd et al.'s teaching, discussed above regarding claim 39, that using a cache

has the benefit of reducing strain on a network, would have suggested this step to one of ordinary

skill in the art, and therefore, it would have been obvious to one of ordinary skill in the art to

implement the recited limitation.

15.   **Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Kenner et al. in view of Bronson.**

        Regarding dependent claim 42, Kenner et al. do not teach receiving a plurality of index

files corresponding to the plurality of multimedia data streams. However, Bronson teaches

receiving index files for both audio (Bronson, col. 3, lines 23-25) and video (Bronson, col. 4,

lines 24-26). Moreover, one of ordinary skill in the art would have recognized that different

kinds of data streams would have required different index files. Therefore, it would have been

obvious to one of ordinary skill in the art to implement receiving a plurality of index files

corresponding to the plurality of multimedia data streams.

        Further, Kenner et al. do not teach storing the plurality of index files locally at the client

computer. However, Ladd et al. teach on page 690 a browser checking a local cache before

fetching documents from a server and that this produces the benefit of not overburdening a

network. This would have suggested to one of ordinary skill in the art that this advantage could

be obtained by storing index files locally at the client computer, and therefore the recited claim

limitation would have been obvious to one of ordinary skill in the art.

Regarding dependent claim 43, Kenner et al. teach receiving a search request from a user inasmuch as they teach locating requested video clips and downloading them to a user's terminal. (Kenner et al., col. 7, lines 25-30.)

Further, Kenner et al. teach checking index files to determine whether any portion of stored multimedia data streams correspond to the search request as noted above regarding claim 25, but Kenner et al. do not teach that the index files and the multimedia data streams are stored locally. However, local storage of index files and the multimedia data streams would have been obvious to one of ordinary skill in the art for the reasons discussed above regarding claims 42 and 39 respectively.

Further, Kenner et al. teach indicating to the user whether any portion of stored multimedia data streams correspond to the search request (Kenner et al., col. 16, lines 17-37), although Kenner et al. do not teach that the multimedia data streams are locally stored. However, local storage of index files and the multimedia data streams would have been obvious to one of ordinary skill in the art for the reasons discussed above regarding claim and 39.

Response to Arguments

16.   Applicant's arguments filed 11/18/03 have been fully considered but they are not persuasive.

A.   Regarding Applicant's remarks on page 15, 1st paragraph and page 21, 2nd paragraph:

Bronson does teach "determining a temporal location in a streaming media presentation...", on col. 3, lines 26-29: "In the simplest application, data from the data index 34 may be searched by the user to determine <u>when a particular word or phrase occurs</u> in the audio-

video data stored on the media 12". Furthermore, Bronson on 2, lines 31-35 teaches "...timing

or other position or location data mechanism 20 to continuously indicate the location data unique

to the audio-video data..." and on col. 4, lines 11-12 teaches "timing data may also be

provided...".

B.   Regarding Applicant's remarks on page 15, 4th paragraph – page 16, 1st paragraph and

page 22, 2nd paragraph:

Referring to claims 16 and 22, Bronson on col. 2, lines 45-46 teaches "audio-video data

stored or being stored on the media 12". The stored "audio-video data" is equivalent to a

multimedia data streams that can be transmitted to the record/playback deck connected to the

monitor. (Bronson on col. 1, lines 14-24).

Further, Bronson does teach a "search engine receiving a search request corresponding to

the multimedia presentation, on col. 3, lines 26-29: teaches "data from the index may be searched

by the user ...."). Furthermore, Bronson does teach, "determine whether any of the multimedia

data streams corresponding to the multimedia presentation satisfy search criteria corresponding

to the search request", col. 3, lines 26-33: teaches data such as word data is searched by the user

to locate the word data in the audio-video data stored on the media 12.

C.   Regarding Applicant's remarks on page 17 and page 24, 3rd paragraph:

Referring to claims 25 and 26, Kenner does teach "SRU 51 includes index files

corresponding to data streamed to a client computer", on col. 8, lines 26-31 teaches "...user

accesses to a database or index to retrieve desired video clips and other information"; on col. 8,

lines 60-61 teaches "the local SRU may comprise a file server for the local area network"; on

col. 15, lines 24-25 teaches "the local SRU contains a "local audio-visual index" and "actual

audio-visual data"; and furthermore on col. 9, lines 43-45 teaches "...enables the local SRU to search its storage for requested video clips ...".

D.   Regarding Applicant's remarks on page 17 – page 18, 1st paragraph and page 25, 4th paragraph – page 27:

Referring to claim 27, Kenner does teach "check...whether any portion of the streaming data matches search criteria of the search request based at least in part on the contents of the index files", on col. 8, lines 26-31 teaches "...user accesses to a database or index to retrieve desired video clips and other information"; on col. 15, lines 24-34 teaches the stored audio-video data can be searched and retrieved using a Video ID that identifies the video clip of audio-video data.

Referring to claims 33-37 and 42, Kenner does teach "generating markup document describing how the plurality of media streams are to be presented", col. 23, lines 32-33 teaches a reference to a desired clip is embedded within the HTML of the web page; the user's browser receives the reference to request to the Web Server to transmit the embedded file"; and furthermore on col. 8, lines 34-43 teaches requested video clips displayed on the user's terminal.

E.   Regarding Applicant's remarks on page 19, 3rd paragraph and page 20-5th paragraph – page 21, 1st paragraph:

Referring to claims 6, Kalra does teach "the multimedia presentation comprising a composite media stream including a plurality of individual media streams", on col. 2, lines 30-50 teaches use of composite streams and that they provide the benefit of tailoring the stream to the computer that is to receive it. Therefore, it would have been obvious of the ordinary skill in the

art at the time the invention was made to have combined the teaching of composite streams of Kalra into the audio-video data of Bronson, to provide the benefit of tailoring the stream to the computer that is to receive it.

F.   Regarding Applicant's remarks on page 20, 2nd paragraph and page 24, 1st paragraph:

Referring to claims 28 and 29, Bronson teaches "receiving an indication of whether the search criteria match any portion of the streaming media presentation", on col. 3, lines 29-42 teaches the portion or portions of the lecture in which the terms "single" and pixel" within a predetermined proximity may be easily identified, indexed, and/or retrieved; wherein the words can be from the audio portion of the audio-video data (on col. 3, lines 11-12).

G.   Regarding Applicant's remarks on page 25, 1st paragraph:

Referring to claim 26, Abbott does teach "separate streaming data into individual streams", on col. 5, lines 29-46 teaches a program material comprising audio and video; wherein a viewer can receive a video for a movie with a Spanish language audio instead of an English language audio (separate individual streams); the video data is in a separate file and the audio also separate from the video data can be changed based on the viewers.

H.   Regarding Applicant's remarks on page 28:

Referring to claim 42, Bronson does teach "a plurality of index files corresponding to the plurality of multimedia data streams", on col. 3, lines 23-25 teaches word data from the audio portion is made available to a microcomputer from the data index and col. 4, lines 24-26 teaches scene data is made available to microcomputer from the storage within the data index, in other words, the word data from the audio portion can be stored in the data index as a index file and

the scene data (video) can also be stored in the data index as an index file to be retrieved and

viewed by the user.

Conclusion

17.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AY
February 7, 2004

SANJIV SHAH
PRIMARY EXAMINER